United Nations S/2000/413

Security Council

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Security Council special mission visit to Eritrea and Ethiopia, 9 and 10 May 2000

I. Introduction

1. By his letter dated 7 May 2000 (S/2000/392), the President of the Security Council informed the Secretary-General that the Council had decided to send a special mission to Eritrea and Ethiopia. Accordingly, the Council requested the Security Council mission then in Kampala to proceed to Addis Ababa and Asmara pursuant to this decision. The membership of the special mission was as follows:

United States of America (Ambassador Richard Holbrooke — Head of Mission)
France (Ambassador Jean-David Levitte)
Mali (Ambassador Moctar Ouane)
Namibia (Ambassador Martin Andjaba)
The Netherlands (Ambassador A. Peter van Walsum)
Tunisia (Ambassador Saïd Ben Mustapha)
United Kingdom of Great Britain and Northern Ireland (Ambassador Jeremy Greenstock)

2. The terms of reference of the mission are annexed to S/2000/392.

II. Activities of the special mission

3. The Security Council ambassadors left Kampala on 8 May for Addis Ababa, where they met that evening with Prime Minister Meles Zenawi. After being informed of the terms of reference of the special mission, Prime Minister Meles set out at length his Government's position with regard to the suspension of the proximity talks at Algiers, as well as providing a detailed account of the situation between Ethiopia and Eritrea. In particular, Prime Minister Meles described the course of the talks as conducted by the facilitators and the points of contention that remained to be resolved. In this connection, the Prime Minister outlined his Government's posture regarding the Framework Agreement for a Peaceful Settlement of the Dispute between Eritrea and Ethiopia (S/1998/1223, annex) developed by the Organization of African Unity (OAU), the modalities for its Implementation (S/1999/794, annex III) and the technical arrangements proposed to put them into effect.

4. The following day, 9 May, after an early morning breakfast with representatives of OAU and the chargé d'affaires of the Government of Algeria, the special mission proceeded to Asmara, where it met with President Isaias Afwerki. President Afwerki in turn explained to the mission the views of his Government of the current situation and its position on the documents in question.

5. Returning to Addis Ababa the same evening, the special mission met again with Prime Minister Meles to clarify the precise position of his Government with regard to the Framework Agreement and the modalities for its Implementation.

6. That night, the special mission met with the Assistant Secretary-General of OAU, Saïd Djinnit, and other OAU officials to seek their views on their situation and their interpretation of wording in the OAU documents. Secretary-General Djinnit stressed that only the French text of the documents concerned was authentic. This raised a possible difference in meaning concerning the phrase "consolidated technical arrangements", which in English is preceded in most instances by the word "the", but in French by the word "des".

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7. On 10 May, the special mission returned to Asmara, where they sought the views of President Afwerki on a draft text elaborated overnight by its members. Following further discussion, the text was conveyed to Prime Minister Meles in Addis Ababa for his views.

III. Observations

8. The OAU negotiations have produced, over time, a substantial corpus of agreements and drafts on a ceasefire, withdrawal, interim arrangements and arbitration and final demarcation of the disputed territory between Eritrea and Ethiopia. The final elements to be put in place in the technical arrangements are a very small proportion of the whole. OAU is to be congratulated on its accumulated achievement. The differences between the two sides, while real, are clearly, in the view of the mission, relatively small and manageable and could be resolved by intensive negotiations over time.

9. Nevertheless, the two sides are on the verge of resuming a senseless war over these differences. The war, which could resume at any time, would not only cause enormous numbers of casualties on both sides, but would greatly add to deaths from famine, as the war would divert much-needed transportation from famine relief. This, in fact, has already happened, to the utter disgrace of all concerned. Meanwhile, Ethiopia accuses Eritrea of stringing out negotiations to avoid redressing its offensive of May 1998; Eritrea accuses Ethiopia of actively holding to the option of resuming the conflict while negotiations continue.

10. The special mission concentrated therefore on creating a mechanism to get past this blockage without going inside the "box" of the details of the OAU negotiations. The renewal of conflict would be such a catastrophic step in the circumstances of the two nations that the mission felt that there had to be strong motives for avoiding it. The members of the mission were, therefore, disappointed to find that such large scope for further fighting still remained, but decided to test various mechanisms to encourage the resumption of talks.

11. The mechanism eventually agreed upon took the form of a draft Security Council resolution calling for proximity talks to resume at the invitation of OAU (see annex). OAU was consulted and agreed. The double journey to Ethiopia and Eritrea thus turned into something of a textual negotiation, with each side seeking wording which favoured its position. The mission, however, stressed that any Security Council resolution would be the sole responsibility of the full Security Council and that the mission would only seek the views of the two sides, not be bound by them.

12. In the course of these exchanges, the special mission's understanding of the complexities of the problem grew, as did its appreciation of the frankness and clarity of the policy presentations by Prime Minister Meles and President Afwerki. The members of the mission made it repeatedly clear that they would not enter into the substance of the OAU texts, nor substitute for the OAU process, but that the two leaders had to understand that, as seen from the outside, the differences between them on the territorial issue in itself did not warrant a return to fighting.

13. At the time of the finalization of the present report, the special mission did not know whether the Security Council would adopt a resolution, whether the parties would both decide to resume early discussions or whether renewed conflict can be avoided. The members of the mission tended to a pessimistic view on the last point. It was nevertheless right from every perspective, moral, political, strategic, and from the standpoint of the interests and role of the Security Council, that the mission to the Democratic Republic of the Congo was extended to include Addis Ababa and Asmara. Any diplomatic effort, even if it is not successful, is worthwhile when the consequences of war for the peoples of the two nations would be so disastrous.

14. The members of the special mission wish to express their appreciation to Prime Minister Meles Zenawi and President Isaias Afwerki for their hospitality and for the frankness with which they responded to our questions and comments. The mission also expresses its gratitude to the resident coordinators of the United Nations Development Programme and their staff for ensuring all the necessary logistical support, despite very short notice. Finally, the members are happy to acknowledge, with appreciation, the indispensable services of Captain Khaled Bassiouny and his crew of AMC Aviation, without whom it would not have been possible to carry out their ambitious and exhausting travel schedule across the African continent.

Annex

Draft Security Council resolution

Recalling its resolutions 1177 (1998) of 26 June 1998, 1226 (1999) of 29 January 1999 and 1227 (1999) of 10 February 1999,

Recalling also the acceptance by the Governments of Eritrea (S/1999/215) and Ethiopia (S/1998/1223) of the Framework Agreement for a Peaceful Settlement of the Dispute between Eritrea and Ethiopia (S/1998/1223, annex), as approved by the Central Organ Summit of the Organization of African Unity (OAU) Mechanism for Conflict Prevention, Management and Resolution, held on 17 and 18 December 1998,

Recalling further the acceptance by the Governments of Eritrea (S/1999/794) and Ethiopia (S/1999/789) of the Modalities for the Implementation of the OAU Framework Agreement on the Settlement of the Dispute between Ethiopia and Eritrea (S/1999/794, annex III), as endorsed by the thirty-fifth Conference of Heads of State and Government of the Organization of African Unity, held in Algiers from 12 to 14 July 1999,

Noting the commitment of both parties to the delimitation and demarcation of their common border,

Emphasizing the obligation of both parties to find a peaceful resolution of their dispute in accordance with the principles of the Charter of the United Nations,

Reaffirming the commitment of all Member States to the sovereignty, independence and territorial integrity of Eritrea and Ethiopia,

Expressing deep concern at the continued mobilization of the military forces of the respective parties and the potential for renewed conflict between them,

Noting that the proximity talks, held in Algiers from 29 April to 5 May 2000, were intended to assist the two parties to arrive at final agreement of consolidated and detailed technical arrangements acceptable to both sides, which would lead to the peaceful resolution of the conflict between Eritrea and Ethiopia,

Noting also that the communiqué on the proximity talks issued by the Office of the Chairman of OAU on 5 May 2000 (S/2000/394) sets out the areas of convergence already recorded between the two parties,

Noting the unanimous conclusion of its special mission to Africa, after extensive talks with the leaders of the Governments of Eritrea and Ethiopia, that both Governments have confirmed their acceptance of, and are committed to, the Framework Agreement and the Modalities of its implementation, as previously communicated to OAU and to the Security Council,

Convinced of the need for further and immediate diplomatic efforts,

Stressing that the conflict between Eritrea and Ethiopia constitutes a threat to international peace and security and that renewed hostilities would constitute an even greater threat to the stability, security and economic development of the subregion,

1. *Endorses* the Framework Agreement for a Peaceful Settlement of the Dispute between Eritrea and Ethiopia and the Modalities for its Implementation as the basis for the peaceful resolution of the dispute between the two parties;

2. *Also endorses* the communiqué of 5 May 2000 issued by the current Chairman of the Organization of African Unity (S/2000/394);

3. *Welcomes*, and attaches high importance to, the acceptance by the Governments of Eritrea and Ethiopia, reaffirmed by their leaders directly to the Security Council special mission to Africa on 9 and 10 May 2000, of the OAU Framework Agreement and the Modalities for its Implementation;

4. *Urges* the earliest possible reconvening, without preconditions, of proximity talks involving substantive discussions on the basis of the Framework Agreement and Modalities for its Implementation and of the work conducted by OAU as recorded in its communiqué of 5 May, to arrive at consolidated technical arrangements to give practical effect to the Framework Agreement and Modalities;

5. *Welcomes* the statements of both leaders, made directly to the Security Council special mission, that they will resume proximity talks without preconditions, on the basis set out in paragraph 4 above, at the invitation of the Chairman of OAU, under the auspices of OAU;

6. *Reaffirms its full support* for the continuing OAU peace process and the efforts of the Organization of African Unity, of Algeria, its current Chairman, and of other interested parties to mediate a peaceful resolution of the dispute, and resolves to assist the OAU process of proximity talks between the two Governments, as requested by OAU;

7. *Insists* that both parties implement their commitment to refrain from the use of force, as is consistent with their acceptance of the provisions of the OAU Framework Agreement and Modalities for its Implementation and with the principles of the Charter of the United Nations;

8. *Also insists* that both parties implement their commitment to return to positions held prior to 6 May 1998, consistent with the sequence laid out in the Modalities for Implementation accepted by both parties;

9. *Requests* the Secretary-General to report to the Council on all aspects of the implementation of the present resolution within 30 days;

10. *Decides* to remain seized of the matter.